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FILED

AUG 15 2012

N.J. BOARD OF NURSING

By: Susan Carboni
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :	Administrative Action
JUDITH FASANO, R.N. :	
LICENSE # NR 10474800 :	CONSENT ORDER
TO PRACTICE NURSING IN THE :	
STATE OF NEW JERSEY :	

This matter was opened to the New Jersey State Board of Nursing (" Board") upon receipt of information that respondent had worked in the offices of Dr. Parvez Dara, where she was employed on or about December 22, 2008, and worked for 32 hours

weekly until the end of February of 2009, when her hours were reduced. Respondent worked for Dr. Dara for a total of approximately three months. Respondent was responsible for mixing chemotherapy and infusing patients, and for drawing blood in the laboratory when there were no chemotherapy patients to be tended to.

The Board of Medical Examiners found that adequate infection control practices were not implemented in the office, and that it was highly probable that at least eleven of Dr. Dara's patients contracted the Hepatitis B virus (HBV) as a result of an unsanitary office. Some of the practices engaged in at Dr. Dara's office included using bags of saline to flush patient ports, using one bag for multiple patients; occasional re-use of single use medication as though it were multi-dose medication, and leaving syringes in a basket open for use through the week, with the syringes removed from sterile packaging, near a sink area where staff washed their hands. The Board of Medical Examiners' decision is currently on appeal.

The Board finds that respondent knew or should have known that adequate infection-control measures were not implemented in Dr. Dara's office, and her failure to take steps to remediate this situation, constituted professional misconduct within the intendment of N.J.S.A. 45:1-21(e). Respondent denies that she deviated from nursing standards of care and further denies that

any patient of Dr. Dara contracted hepatitis as a consequence of any action or inaction on her part.

The parties desiring to resolve this matter by settlement without further proceedings and without admissions, and the Board finding that the within Order is sufficiently protective of the public health, safety and welfare, and for other good cause shown;

IT IS on this 15th day of August, 2012

HEREBY ORDERED AND AGREED that:

1. A two year suspension of license for the violation of N.J.S.A. 45:1-21(e) is hereby imposed upon respondent. The suspension is to be stayed, and shall be deemed to have commenced retroactively on August 1, 2009, and to have terminated on September 1, 2011.

2. A public reprimand is hereby imposed upon respondent.

3. Respondent shall, within one year of the filing of this Order, document successful completion of the course entitled "Principles of Infection Prevention Control," a five-day course offered by the Northern and Southern New Jersey Chapters of APIC and the New Jersey Department of Health and Senior Services; and Board-approved continuing education courses in nursing ethics; and in safe handling of chemotherapeutic agents.

4. A civil penalty in the amount of \$1,000.00 is hereby imposed. Payment shall be in the form of a certified check or

money order, made payable to the State of New Jersey, with a minimum amount of \$200.00 to be submitted along with this signed Order.

5. In the event that respondent opts to pay the penalty in installments, future payments in the form of a certified check or money order made payable to the State of New Jersey in the minimum amount of \$100.00 shall subsequently be furnished on the 15th day of each month, commencing upon the month following respondent's receipt of a filed copy of this order. Payments are to be forwarded to the attention of George Hebert, Executive Director of the Board of Nursing, 124 Halsey Street, 6th Floor, P.O. Box 45010, Newark, NJ 07101.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PLD APN
Patricia Ann Murphy, PhD, APN, C
Board President

I have read and understand
the within Consent Order
and agree to be bound by
its terms.

Chadwick Fasano, R.N. 7/23/12
Judith Fasano, R.N.

Consent as to form and entry:

Janet L. Poletto
Janet L. Poletto, Esq.
Attorney for respondent